

Lesley E. Weaver (SBN 191305)
BLEICHMAR FONTI & AULD LLP
555 12th Street, Suite 1600
Oakland, CA 94607
Tel.: (415) 445-4003
Fax: (415) 445-4020
lweaver@bfalaw.com

Derek W. Loeser (admitted *pro hac vice*)
KELLER ROHRBACK L.L.P.
1201 Third Avenue, Suite 3200
Seattle, WA 98101
Tel.: (206) 623-1900
Fax: (206) 623-3384
dloeser@kellerrohrback.com

Plaintiffs' Co-Lead Counsel

Additional counsel listed on signature page

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE: FACEBOOK, INC. CONSUMER
PRIVACY USER PROFILE LITIGATION

MDL No. 2843
Case No. 18-md-02843-VC-JSC

This document relates to:

ALL ACTIONS

**STIPULATION AND [PROPOSED]
ORDER ON DISCOVERY DISPUTE
RESOLUTION PROCEDURES**

Resolution of discovery disputes in this MDL has been referred to the undersigned magistrate judge. As to discovery disputes that may arise, except as otherwise set forth herein, the parties shall comply with page 4 of the Civil Standing Order for Magistrate Judge Jacqueline Scott Corley. In addition, and in the interest of ensuring the prompt and equitable resolution of discovery disputes, the parties agree, subject to Court approval, to the following procedures:

1. A discovery dispute is defined as a refusal to fully produce requested discovery or an inability to agree on the parameters of the discovery sought or ordered. Unless both parties otherwise agree, the meet and confer process concerning a discovery dispute shall begin within four business days of a party seeking discovery or requesting relief (the “moving party”) making a request for the meet and confer conference.

2. A request to meet and confer shall identify each issue and/or discovery request in dispute. The request shall state briefly the moving party’s position on the issue, may provide any legal authority the moving party believes is dispositive of the issue, and identify the relief to be sought.

3. If the parties remain at impasse after meeting and conferring in good faith, the moving party may, no earlier than three business days after the parties have concluded the meet and confer process, file a two page statement as contemplated by this Court’s Standing Order. See CIVIL STANDING ORDER OF MAGISTRATE JUDGE, JACQUELINE SCOTT CORLEY, Revised March 7, 2019, at 4-5. The opposing party shall then have three business days to file its written response of no more than two pages.

4. If the opposing party fails to participate in the requested meet and confer in good faith within the four-business day time period specified in paragraph 1 above, the party seeking discovery may submit an individual statement to the Court including an explanation of why a meet and confer was not possible, or otherwise seek the Court’s assistance.

5. The parties are invited, but not required, to contact the Court’s Deputy Clerk Ada Means to schedule an informal discovery conference with the Court after the parties have met and

conferred but before the drafting of their discovery briefs. At the conference the Court will not formally rule, but instead will attempt to assist the parties with resolving their dispute without the need for written submissions. The parties may agree to stay the deadlines for submission of the discovery letter pending the informal discovery conference, but absent an agreement the deadlines set forth in paragraph 4 above remain in place.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: March 31, 2020

Respectfully submitted,

KELLER ROHRBACK L.L.P.

BLEICHMAR FONTI & AULD LLP

By: /s/ Derek W. Loeser
Derek W. Loeser

By: /s/ Lesley E. Weaver
Lesley E. Weaver

Derek W. Loeser (admitted *pro hac vice*)
Lynn Lincoln Sarko (admitted *pro hac vice*)
Gretchen Freeman Cappio (admitted *pro hac vice*)
Cari Campen Laufenberg (admitted *pro hac vice*)
David Ko (admitted *pro hac vice*)
Adele A. Daniel (admitted *pro hac vice*)
1201 Third Avenue, Suite 3200
Seattle, WA 98101
Tel.: (206) 623-1900
Fax: (206) 623-3384
dloeser@kellerrohrback.com
lsarko@kellerrohrback.com
gcappio@kellerrohrback.com
claufenberg@kellerrohrback.com
dko@kellerrohrback.com
adaniel@kellerrohrback.com

Lesley E. Weaver (SBN 191305)
Anne K. Davis (SBN 267909)
Joshua D. Samra (SBN 313050)
Matthew P. Montgomery (SBN 180196)
Angelica M. Ornelas (SBN 285929)
555 12th Street, Suite 1600
Oakland, CA 94607
Tel.: (415) 445-4003
Fax: (415) 445-4020
lweaver@bfalaw.com
adavis@bfalaw.com
jsamra@bfalaw.com
mmontgomery@bfalaw.com
aornelas@bfalaw.com

Christopher Springer (SBN 291180)
801 Garden Street, Suite 301
Santa Barbara, CA 93101
Tel.: (805) 456-1496
Fax: (805) 456-1497
cspringer@kellerrohrback.com

Plaintiffs' Co-Lead Counsel

GIBSON, DUNN, & CRUTCHER LLP

By: /s/ Deborah Stein
Deborah Stein

Orin Snyder (admitted *pro hac vice*)
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue
New York, NY 10166-0193
Telephone: 212.351.4000
Facsimile: 212.351.4035
osnyder@gibsondunn.com

Deborah Stein (SBN 224570)
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071-3197
Telephone: 213.229.7164
Facsimile: 213.229.6164
dstein@gibsondunn.com

Joshua S. Lipshutz (SBN 242557)
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5306
Telephone: 202.955.8500
Facsimile: 202.467.0539
jlipshutz@gibsondunn.com

Kristin A. Linsley (SBN 154148)
Martie Kutscher (SBN 302650)
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street, Suite 3000
San Francisco, CA 94105-0921
Telephone: 415.393.8200
Facsimile: 415.393.8306
klinsley@gibsondunn.com
mkutscherclark@gibsondunn.com

Attorneys for Defendant Facebook, Inc.

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated:

HON. JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, Lesley E. Weaver, attest that concurrence in the filing of this document has been obtained from the other signatory. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 31st day of March, 2020, at Oakland, California.

/s/ Lesley E. Weaver

Lesley E. Weaver